


**Interview Summary**

Application No. <b>09/889,251</b>	Applicant(s) <b>Naviaux</b>	
Examiner <b>Phyllis G. Spivack</b>	Art Unit <b>1614</b>	

All participants (applicant, applicant's representative, PTO personnel):

- (1) Phyllis G. Spivack (3) \_\_\_\_\_  
 (2) Lisa A. Haile, Ph.D. (4) \_\_\_\_\_

Date of Interview Jul 16, 2003

Type: a)  Telephonic b)  Video Conference  
c)  Personal [copy is given to 1)  applicant 2)  applicant's representative]

Exhibit shown or demonstration conducted: d)  Yes e)  No. If yes, brief description:

Claim(s) discussed: 1-6, 8-27, and 66

Identification of prior art discussed:  
Naviaux et al., Presentation at the "Mitochondrial Dysfunction in Human Pathology", meeting (1998); von Borstel, U.S. Patent 6,472,378

Agreement with respect to the claims f)  was reached. g)  was not reached. h)  N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

The submission of a declaration under 37 CFR 1.131 potentially to overcome the 35 U.S.C. 102(a) rejection of record was discussed. Limitations within the subject specification that would further distinguish the present claims from that of the vonBorstel document were discussed. Other informal or editorial issues in the claims were pointed out by the Examiner.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i)  It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached

*Phyllis Spivack*  
**PHYLLIS SPIVACK**  
**PRIMARY EXAMINER**

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required